

Colorado business leaders told the 2013 Colorado legislature:

**"BE EMPLOYER FRIENDLY  
AND WE'LL CREATE JOBS."**

6

**New Laws That Help Business**

TOP

6

**Job-Killing Proposals Averted Through Advocacy**

**The WORST New Colorado Laws Passed**



*"The notion of removing all industry representation from the Colorado Oil & Gas Conservation Commission would have led to misinformed and completely unbalanced energy policy in Colorado. CACI's broad-based business leadership was important in stopping HB 1269."*

*—John Jacus, Chair, CACI Energy & Environment Council, Davis Graham and Stubbs LLC*



*The State Chamber of Commerce*

# 6 NEW LAWS THAT HELP COLORADO COMPETE AND SUCCEED



Wolf Robotics

1

## HB 1165 MANUFACTURING CAREER PATHWAY

Requires the State Board for Community Colleges and Occupational Education to collaborate with the Colorado Department of Higher Education, the Colorado Department of Education and the Colorado Department of Labor and Employment, to design a career pathway for students seeking employment in manufacturing beginning with the 2014-15 academic year.

2

## HB 1001 ADVANCED INDUSTRIES

A grant program run by the Colorado Office of Economic Development and International Trade will provide grants to support growth of businesses in seven specific industries: advanced manufacturing, aerospace, bioscience, electronics, energy and natural resources, infrastructure engineering, and information technology.

3

## SB 147 WORKERS COMP LIABILITY

The bill clarifies that an employer is not liable for a worker's comp claim when a lessee, sublessee, contractor, or subcontractor, or their employee, is injured while not on the employer's premises.

4

## HB 1265 BUSINESS FACILITY TAX CREDIT IN ENTERPRISE ZONES

Replaces the current six-step process with a simpler application process for taxpayers to receive the New Business Facility (enterprise zone) tax credit.

5

## HB 1287 JOB GROWTH INCENTIVES

Encourages hiring by extending the Colorado job growth incentive tax credit by an additional five income tax years, through 2019.

6

## HB 1288 UNIFORM SALES & USE TAX

Begins to address Colorado's complex sales tax system by requiring the Department of Revenue to prepare a report by December 31, 2013, for the General Assembly, which would determine how a uniform sales tax base can be revenue neutral for the state and local taxing jurisdictions, and recommend to the General Assembly how to establish a uniform sales tax base.

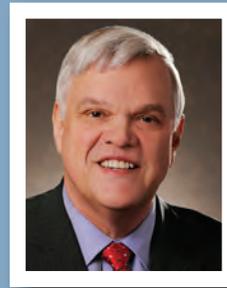


Geoff Wilson of the Colorado Municipal League addresses CACI Tax Council members

# WORST Colorado laws passed in 2013

**HB 1136** allows for the award of compensatory damages, punitive damages, and attorney's fees and costs to be brought against employers in State court for discrimination claims.

- Ignores the fact that only 4.5% of discrimination claims are found to be of merit.
- Changes remedies from the Colorado Department of Labor to allow lawsuits against employers with limits of up to \$10,000 for employers of 1-4; \$25,000 for employers with 5-14 employees.
- Proponents refused to place a ceiling on plaintiff attorneys fees while exempting the state from lawsuits, presumably because of the financial risk.



*"This bill is pandering to trial lawyers at the expense of Colorado's small business employers."*

— Chuck Berry, CACI President

**SB 252** increases the renewable energy mandate for most Colorado electric cooperative associations from 10% by 2020 to 20% by the same date. Serious concerns about the costs of implementation were disregarded. CACI worked with a broad coalition of energy consumers and producers in actively opposing the bill, and sent a request to the governor for a veto of the legislation.

## Top 6 Bad-for-Business Bills Killed or Improved through Effective Advocacy

### **HB 1222** EXPANSION OF FAMILY MEDICAL LEAVE ACT (FMLA)

**Would have:** expanded the FMLA to people in an undefined "committed relationship." **As negotiated:** CACI worked to tighten language. Now requires the employee to submit reasonable documentation of the family relationship; requires medical certification of the health condition, clarifies that the leave is only applicable for a total of 12 weeks; narrows the expanded leave to an employee's partner in a civil union or domestic partnership. The bill remains in significant conflict with Federal law such that two 12-week leaves can now be taken vs. one.

### **HB 1304** UI BENEFITS DURING A LOCKOUT

**Would have:** provided Unemployment Insurance (UI) benefits to unionized workers who are locked-out during a labor dispute by an employer who is part of a multi-employer bargaining unit with the union. CACI's primary concern with this bill was that it would cost all employers across the state millions of dollars in increased UI premiums. **KILLED**

### **HB 1227** WAGE THEFT

**Would have:** created a felony crime of "wage theft" and broadly defined those responsible to include "the person, or an entity under the person's financial control, under a duty to pay wages

or compensation." While attempting to punish a relatively few despicable operators, the bill would have impacted all employers by creating an imbalance in the award of attorney's fees favoring the plaintiff. **KILLED**

### **SB 18** USE OF CREDIT REPORTS IN HIRING

**Would have:** severely restricted employers' use of credit histories when assessing job applicants or workers and invited related lawsuits. **As negotiated:** ensures that employers can continue to conduct an employment-credit check and eliminates the ability of individuals to bring lawsuits against employers rather than resolve issues via the Colorado Department of Labor and Employment.

### **HB 1142** ENTERPRISE ZONE ACT REFORMS

**Would have:** virtually killed Enterprise Zones. **As negotiated:** lowers the cap on the investment tax credit to \$750,000 per year and stretches out the period over which the credit can be taken from 12 years in the bill to 14 years. Companies may appeal for a credit in excess of the \$750,000 to the Colorado Economic Development Commission.

### **HB 1269** COLORADO OIL & GAS CONSERVATION COMMISSION (COGCC)

**Would have:** changed the mission of the COGCC and eventually eliminated all energy-industry representation from the Commission. **KILLED**



*"I feel that my input on the Enterprise Zone Reform task force helped shape Colorado policy. CACI and its partners did a great job involving me and then standing up for a reasonable outcome that was at risk until the very end when HB 1142 was passed."*

— Leland Lorentzen, Golden Aluminum

*"The renewable-energy mandate threatens jobs in rural Colorado communities."*

— Senator Ellen Roberts, R-Durango



*The State Chamber of Commerce*

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# CACI Champions a Healthy Colorado Business Climate!

## *The Voice of Colorado Business* **CACI LOBBIED 40 KEY BILLS RESULTS INSIDE**



*"When Government passes laws that cost us money,  
we can't just absorb it - it impacts what we can pay."*

— Tom McNamara, Foam Fabricators

*"I'm glad I attended a CACI Council meeting. My family and I talk  
about how issues like unemployment and workers comp impact  
employers, and now I have a much better idea of how the policy-making  
process works. As busy as we are, business owners need to engage."*

— Susan Cirocki, Arrow Sheet Metal Products Co.

